



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Paper No. 6

MYERS BIGEL SIBLEY & SAJOVEC  
P O BOX 37428  
RALEIGH, NC 27627

**COPY MAILED**

**NOV 29 2001**

**OFFICE OF PETITIONS**

In re Application of :  
Mrinal Kanti Das et al : DECISION GRANTING  
Application No. 09/878,442 : PETITION  
Filed: June 11, 2001 :  
Attorney Docket No. 5308-168 :

This is a decision on the paper styled "Petition to Grant Filing Date..." filed on October 19, 2001, which is being treated as a petition under 1.10(d), requesting that the above-identified application be accorded a filing date of June 11, 2001, rather than the presently accorded filing date of June 12, 2001.

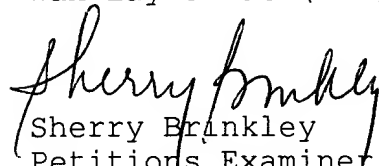
Applicants request the earlier filing date on the basis that the application was purportedly deposited in Express Mail service on June 11, 2001, pursuant to 37 CFR 1.10. In support applicants submit, a copy of a U.S. Postal Service (USPS) record styled "Pickup Service Statement for Express Mail, Priority Mail, or Parcel Post" showing that a package bearing Express Mail label No. EL733098355US was picked up by the USPS from counsel's office on June 11, 2001. In further support, the petition is accompanied by a copy of the USPS Track/Confirm system information showing that the package in question was enroute on June 11, 2001. The same Express Mail number was referred to in the copy of the original transmittal letter submitted with the present application.

Since the evidence from the USPS, namely, the Express Mail pickup Service Statement and the USPS Track/Confirm sheet, corroborate a "date-in" of June 11, 2001, the petition is granted. The \$130 petition fee is being credited to counsel's deposit account.

A copy of the corrected Filing Receipt is enclosed.

The application is being returned to Technology Center AU 2811 for examination in due course.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

  
Sherry Brankley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

Enclosure: Corrected Filing Receipt